

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, March 8, 2016

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
March 7 – March 14, 2016**

Monday, March 7

No Meetings

Tuesday, March 8

Design Excellence Subcommittee.....10:30 am
Conference Room – 5th Floor Government Center

Planning & Public Safety Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

Work Session.....3:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, March 9

Tree Canopy Structure Subcommittee.....9:30 am
Conference Room – 11th Floor Government Center

Tree Board.....10:30 am
Conference Room – 5th Floor Government Center

Homeless Prevention & Intervention Board.....1:30 pm
Career Center – 1055 Industry Road

Thursday, March 10

No Meetings

Friday, March 11

Tree Canopy Subcommittee.....10:30 am
Conference Room – 5th Floor Government Center

Monday, March 14

No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
March 8, 2016

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – No**
- III. Approval of Summary – Yes**
 - a** Table of Motions: March 1, 2016 Work Session, p. 1-2
- IV. Budget Amendments – No**
- V. New Business – Yes, p. 3-21**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, March 8, 2016, p. 22
 - b** Committee Summary: Planning & Public Safety, February 9, 2016, p. 23-28
 - c** Presentation: Affordable Housing Fund Report, p. 29-57
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **119-16** Authorization to Amend Resolution 10-2016, which authorized a change order to the contract with Alpha Mechanical Services, Inc., to correct the adjusted price of the contract. Resolution 10-2016, as passed, states that the change order is increasing the contract price from \$869,627.00 to \$879,267.00 while the change order is actually increasing the contract price from \$69,627.00 to \$79,267.00 Funds are budgeted. (L119-16) (Graham) p. 3
- b** **176-16** Authorization to execute an agreement awarding a FY16 Class B (Education) Stormwater Quality Projects Incentive Grant to The Board of Education of Fayette County, Kentucky in the amount of \$2,500.00. The grant funds will provide storm water education at Bryan Station High School. Funds are budgeted. (L176-16) (Martin/Hoskins-Squier) p. 4-5
- c** **180-16** Authorization to approve change order #3 to the Blue Sky Pump Station and Force Main engineering services contract with Bell Engineers, decreasing the final contract amount by \$1,248.00 and changing the accounting used in change order number 2. The new final contract amount is \$223,626.79. This amendment will also change the accounting on change order #2 to utilize remaining grant funds received from the state. Funds are budgeted. (L180-16) (Martin/Hoskins-Squier) p. 6-11
- d** **187-16** Authorization to transfer a portion of unused right-of-way originally dedicated for construction of a portion of Gribbin Dr. (originally Bonham Road) to the adjacent property owner located at 2875 Gribbin Drive. (L187-16) (Hicks/Hoskins-Squier) p. 12-13
- e** **193-16** Authorization to execute agreement with The Schneider Corporation doing business as qPublic for provision of The Integrated Damage Assessment Model Development in an annual amount of \$3,000 for the Division of Emergency Management/911, and to approve The Schneider Corporation as a sole source provider. Funds are budgeted. (L193-16) (Gooding) p. 14-15
- f** **204-16** Authorization to accept awards, if offered, for FY 2017 Transportation Planning Activities; subject to the availability of sufficient funds in FY 2017. The Transportation Planning Section of the Division of Planning has prepared a unified planning work program for Fiscal Year 2017 that includes funding from federal programs that finance the Unified Work Program. The total federal funding being requested for FY17 is \$704,400.00 with an additional \$23,750.00 being provided by the state. LFUCG is required to provide a match of \$126,850.00 requested in the FY17 budget, with an additional \$25,500.00 in match provided by a third-party in-kind contribution. The total cost in the budget is \$880,500.00. Grant funds for these activities are anticipated in future budget years. If funding is approved, funds will be budgeted in Fiscal Year 2017. (L204-16) (Gooding) p. 16-17

- g** **206-16** Authorization to changing the position title of both Financials Manager Enterprise Solutions (Grade 525E) and HCM Manager Enterprise Solutions (Grade 525E) to Enterprise Resource Planning (ERP) Senior Analyst (Grade 525E) in the Division of Enterprise Solutions, effective upon passage by Council. This request for these title changes will allow the Division the flexibility to fill future vacancies that address technical and functional needs without being so narrowly focused on either HCM or Finance. There is no fiscal impact with this action. (L206-16) (Maxwell/Hamilton) p. 18
- h** **212-16** Authorization to approve an Amendment Agreement between Accela Inc./aka Springbrook and the Lexington-Fayette Urban County Government, for changes to the On-Line Business Tax Portal Transactional Fees. There is no budgetary impact for this change. (L212-16)(Cook/O'Mara) p. 19-20
- i** **248-16** Authorization to execute an agreement with Environmental Enterprises, Inc., in the amount of \$104,585 for the Division of Waste Management for the collection of all waste collected during the Household Hazardous Waste collection event to be held on April 23, 2016 (Spring Clean 2016) (Thurman/Hoskins-Squier) p. 21

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
March 1, 2016**

Mayor Gray called the meeting to order at 3:00pm. Council Members Stinnett, Moloney, J. Brown, Gibbs, Lamb, Farmer, Evans, Scutchfield, F. Brown, Mossotti, Bledsoe and Hensley were present. Council Members Kay, Akers and Henson were absent.

I. Public Comment – Issues on Agenda

II. Requested Rezoning/Docket Approval

Motion by Evans to place ordinance #11 on the docket without a public hearing. Seconded by F. Brown. Motion passed without dissent.

Motion by Evans to place ordinance #10 on the docket without a public hearing. Seconded by F. Brown. Motion passed without dissent.

Motion by Farmer to approve the March 3, 2016 Council Meeting docket. Seconded by Scutchfield. Motion passed without dissent.

III. Approval of Summary

Motion by Farmer to approve the February 23, 2016 work session summary. Seconded by Mossotti. Motion passed without dissent.

IV. Budget Amendments

Motion by Farmer to approve budget amendments. Seconded by Hensley. Motion passed without dissent.

V. New Business

Motion by Farmer to approve new business. Seconded by Hensley. Motion passed without dissent.

Motion by Farmer to remove item k from new business until after the presentation. Seconded by Mossotti. Motion passed without dissent.

VI. Continuing Business/Presentations

Motion by Lamb to approve neighborhood development funds. Seconded by Gibbs. Motion passed without dissent.

Motion by Moloney to place item K on the docket for Thursday, March 3, 2016. Seconded by Stinnett. Motion passed 11-1. Stinnett, Moloney, J. Brown, Gibbs, Lamb, Farmer, Evans, Scutchfield, F. Brown, Bledsoe and Hensley voted yes. Mossotti voted no.

VII. Council Reports

Motion by J. Brown to refer minority recruitment and retention in the division of public safety to the General Government & Social Services Committee. Seconded by Farmer. Motion passed without dissent.

VIII. Mayor's Report

Motion by Stinnett to approve the Mayor's Report. Seconded by Hensley. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Stinnett to adjourn at 4:31pm. Seconded by Scutchfield. Motion passed without dissent.

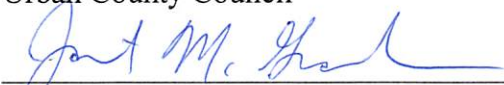


Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: 
Janet M. Graham, Commissioner, Department of Law

DATE: January 20, 2016

SUBJECT: Request that Council amend Resolution 10-2016

Request authorization to:

Amend Resolution 10-2016, which authorized a change order to the contract with Alpha Mechanical Services, Inc., to correct the adjusted price of the contract.

Why are you requesting?

Resolution 10-2016, as passed, states that the change order is increasing the contract price from \$869,627.00 to \$879,267.00 while the change order is actually increasing the contract price from \$69,627.00 to \$79,267.00.

What is the cost in this budget year and future budget years?

The cost for this FY is: N/A

The cost for future FY is: N/A

Are funds budgeted? N/A

File Number: Resolution #10-2016

Director/Commissioner: Janet M. Graham, Commissioner, Department of Law



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

Dowell Hoskins-Squier
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: 
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: February 18, 2016

SUBJECT: Requesting authorization to execute an agreement awarding a FY16 Class B (Education) Stormwater Quality Projects Incentive Grant to The Board of Education of Fayette County, Kentucky.

Request

The purpose of this memorandum is to request authorization to execute an agreement awarding a FY16 Class B (Education) Stormwater Quality Projects Incentive Grant to The Board of Education of Fayette County given to Bryan Station High School for storm water education, at a total cost of \$2,500.00.

Purpose of Request

The purpose of the project is to provide storm water education through the construction of a rain garden to students from 6th to 12th grade attending Bryan Station Schools. The proposed curriculum looks to give students a hands-on educational experience on the importance of improving storm water quality and the environment. Upon completion of the project Bryan Station High School AP Science students will host an evening workshop for students and their families to visit the rain garden and hear from local experts on the importance of storm water quality.

Project Cost in FY16 and in Future Budget Years

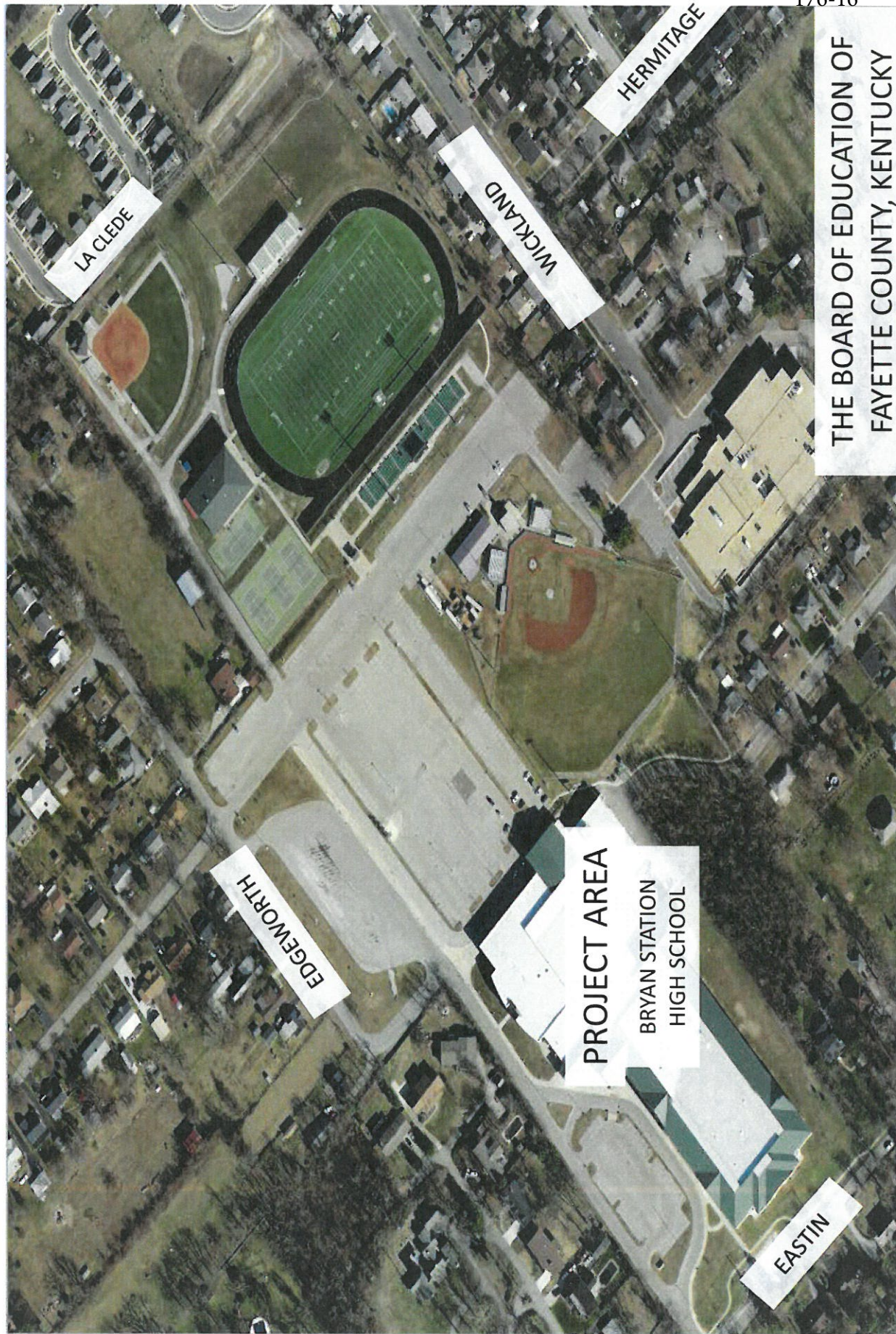
The grant has been approved by the Water Quality Fees Board in the amount of \$2,500.00 and is anticipated to be fully spent by FY17.

Are Funds Budgeted

Funds are budgeted in: 4052 – 303204 – 3373 – 78112 – WQINCENTIVE_16 – WQ_GRANT

Martin/Hoskins-Squier

Stormwater Quality Projects Incentive Grant Program





Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

Dowell Hoskins-Squier
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Charles Martin, PE *CM*
Director Division of Water Quality

DATE: February 17, 2016

SUBJECT: Blue Sky Pump Station and Force Main Change Order 3 (Final)
Adjustment to Final Contract Amount and Accounting-Contract Number 242-2012

Request

The purpose of this memorandum is to request approval of change order #3 to the engineering contract with Bell Engineers to decrease the final contract amount by \$1,248.00 for the Blue Sky Pump Station and Force Main Project, and to change the accounting used in change order number #2.

Why are you requesting?

This amendment will decrease the contract by \$1,248.00, adjusting the final contract amount to \$223,626.79. The amendment will also change the accounting on change order #2 to use up remaining grant funds received from the state.

What is the cost in this budget year and future budget years?

There are no additional project costs involved—decrease in total project cost and accounting adjustment.

Are the funds budgeted?

Funds are budgeted for the accounting adjustment to the previous change order in:
3400 303401 3401 92711 BLUESKY_2006 STA_GRANT

File Number: 242-2012

Director/Commissioner: Martin/Hoskins-Squier

MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

LEXINGTON FINANCIAL CENTER

250 West Main Street, Suite 2510

Lexington, Kentucky 40507

TEL: (859) 233-9811

FAX: (859) 233-0184

8

180-16

E-MAIL

Richard@MurphyCledenene.com

Chris@MurphyCledenene.com

RICHARD V. MURPHY

CHRISTOPHER M. CLENDENEN

November 30, 2015

Keith Horn, Esq.
Law Department
Lexington-Fayette Urban County Government
200 East Main Street
Lexington, KY 40507

Re: Remnant Parcel of Gribbin Drive

Dear Keith:

I represent Richard Conrad, who is the owner of a tract of land at 2875 Gribbin Drive. This is behind the old Conrad (and later Thoroughbred) Chevrolet dealership at 2800 Richmond Road. We are requesting that the city transfer to Mr. Conrad a small parcel of adjacent land which was dedicated, but never used, for a street.

Mr. Conrad is attempting to transfer the property at 2875 Gribbin Drive to C & R Asphalt Land Acquisition Co., LLC. C & R Asphalt has also recently acquired the property at 2800 Richmond Road. If this closing is completed, C & R Asphalt will own the tracts on both sides of this abandoned right-of-way. However, due to notes on the plat, (Plat Cabinet J, Slide 636, a reduced-sized copy of which is attached) the tract will first need to be conveyed to Richard M. Conrad, Sr., who will in turn convey it to C & R Asphalt.

The legal description of this tract is as follows:

Being all of Parcel 2 (containing 7,712 square feet) as shown on plat of record in Plat Cabinet J, Slide 636 in the office of the Fayette County Clerk, to which plat reference is hereby made for a more particular description thereof.

Parcel 2 was originally dedicated as right-of-way for Bonham Road (now Gribbin Drive) on the plat recorded in Plat Cabinet A, Slide 296, a copy of which is attached. That plat was approved in 1971. However, the location of Gribbin Drive was changed on the plat recorded in Cabinet J, Slide 636 so that it curved away from this section. The Planning Commission actually approved the consolidation plat which consolidates Parcel 2 to the Conrad property in 1995. (Both plats are attached). We can find no record of a transfer from the city, however.

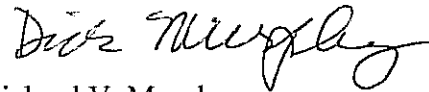
Parcel 2 has never been used for roadway purposes, although it has been offered for dedication in the plat mentioned above. Please let me know if you feel that a rejection of dedication with quitclaim deed or a street closing with a deed is the proper way to go.

As mentioned above, after all transactions are completed, C & R Asphalt will own the old right-of-way (Parcel 2) and the tracts on either side (Parcel 1 and the tract at 2800 Richmond Road).

Could you please initiate the proceedings to deed this to my client, Richard M. Conrad, Sr., so that he can in turn deed it to C & R Asphalt?

Thank you.

Sincerely,

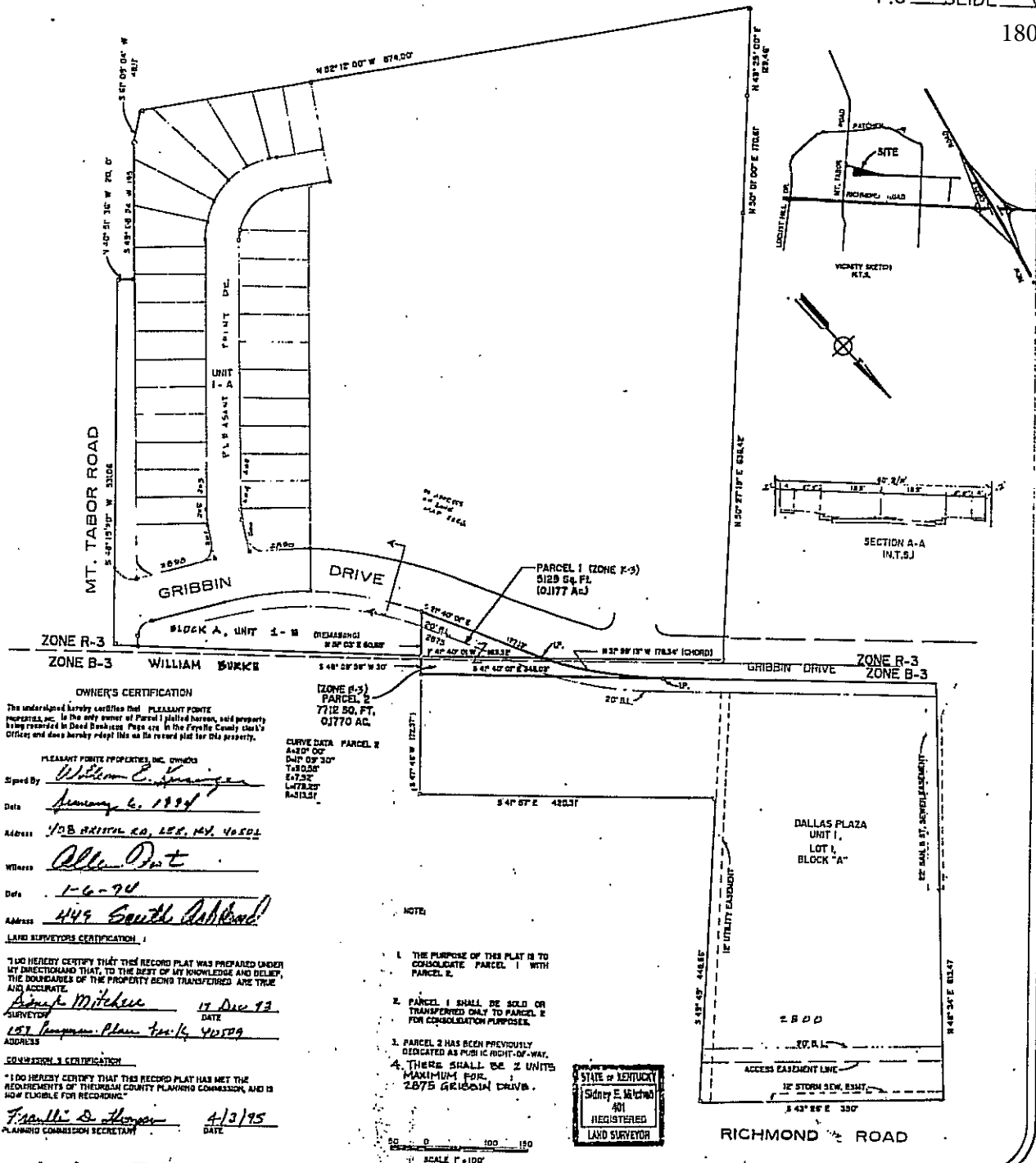


Richard V. Murphy

RVM/prb

Enclosures

Letter to Keith Horn 11-30-15.docx



OWNER'S CERTIFICATION
The undersigned hereby certifies that PLEASANT POINT PROPERTIES, INC. is the only owner of Parcel 1 platted herein, said property being recorded in Deed Book 400, Page 400 in the Fayette County Clerk's Office and does hereby adopt this as its record plat for this property.

PLEASANT POINT PROPERTIES, INC. OWNED
Signed By: William E. Kinsinger
Date: January 6, 1994
Address: 108 BRITISH RD., LEX., KY. 40501
Witness: Allen D. ...
Date: 1-6-94
Address: 444 South Ashland

LAND SURVEYOR'S CERTIFICATION
I DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BOUNDARIES OF THE PROPERTY BEING TRANSFERRED ARE TRUE AND ACCURATE.
Surveyor: Frank Mitchell DATE: 17 Dec 93
Address: 157 Thompson Lane, Lexington, KY 40509

COMMISSIONER'S CERTIFICATION
I DO HEREBY CERTIFY THAT THIS RECORD PLAT HAS MET THE REQUIREMENTS OF THE KENTUCKY PLANNING COMMISSION, AND IS NOW ELIGIBLE FOR RECORDING.
F. ... DATE: 4/3/95
PLANNING COMMISSION SECRETARY

- NOTE:
1. THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE PARCEL 1 WITH PARCEL 2.
 2. PARCEL 1 SHALL BE SOLD OR TRANSFERRED ONLY TO PARCEL 2 FOR CONSOLIDATION PURPOSES.
 3. PARCEL 2 HAS BEEN PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY.
 4. THERE SHALL BE 2 UNITS MAXIMUM FOR 2875 GRIBBIN DRIVE.



SCALE 1"=100'

MINOR CONSOLIDATION PLAT #5
NANCY JOHNSON PROPERTY UNIT I-E
and
DALLAS PLAZA UNIT I, LOT I, BLOCK "A"
LEXINGTON, FAYETTE COUNTY, KENTUCKY

2650
4180 P.
APR 95
B. ...
12/10/93

MITCHELL ENGINEERS
167 PROSPEROUS PLACE SUITE 1C
LEXINGTON, KENTUCKY 40509
(606) 253-8100
LAND SURVEYORS/CONSULTING CIVIL ENGINEERS/URBAN PLANNERS

199504030381

PLAT CASE "J" 2-1-93

CITY ENGINEERS
CERTIFICATION.
ROAD

I do hereby certify that the requirements for the suballotments have been reviewed by my office, are in conformance with the suballotment requirements, and the associated costs for such requirements after deduction by my office, and communicated to the primary contractor for purposes of establishing the amount of the performance bond.

COMMISSION'S CERTIFICATION
I do hereby certify that this record and
was approved by the City-County Planning
Commission at its meeting on 11/11/11
and is now eligible for recording.

[illegible]

ENGINEERS' SURVEYORS' CERTIFICATION
I, On hereby certify that the record plat was prepared by me or under my direction, that all monuments indicated hereon do exist and their locations, size and materials are correctly shown; to the best of my knowledge and belief, the information shown hereon is true and accurate.

Robert W. Schwartz 21 Nov 1971
C.J. FULLER CONSULTING ENGINEERS INC. DATE
190 N. UPPER ST.

TIMBERLY LEFT TURN TO BE CONSTRUCTED
IN THE FIRST FLOOR.

TEMPORARY ENTRANCE TO BE USED
UNTIL SUCH TIME AS THE SERVICE
ROAD CAN BE EXTENDED TO ADJOIN
PROPERTY WHERE AN EXISTING ENTR
WAS BE LIMITED

20 APR 1964
COMMISSIONS CERT
I do hereby certify that the Commission was approved by the Commission and its members at the meeting held on April 16, 1964.

BY Quills

ENGINEERS & SURVEYORS
I do hereby certify that
prepared by me or under
my supervision, indicated the
names, titles, and
positions of the persons
who performed the work
and secured

Robert W. Schwartz
C.J. FULLER CONSULTING
190 N. UPPER ST.
ilities.

NOTES

Sanitary Storm Sewers to be installed by developer to City of Lexington specifications and shall meet the approval of the City Engineer.

2. Securing easements over certain nonseverable or Ainet lands, D.O.C. with Red, White or Australian Ainet D.O.C. All to be maintained by the owner in accordance with zoning regulations.

3. The developer agrees to work with the Soil Conservation Service to provide temporary silt basins or other service to provide temporary in disturbed areas.

d. The Owners of the property hereby agree to assume full liability for all construction, maintenance, and repair.

function, or other needs related to the service need so designated on this plan, and obfully relieve any local government from any such responsibility. Further,

If the owners in the future should request that the prime be changed to a public street, the owner does not have to pay for the change.

body, the owners will bear full expense of reconstruction or any other action necessary to make the structure safe that is required by United States law.

Finally, the owners also agree that this road shall be used for public streets, prior to dedication and acceptance of the easement by the public authorities.

best governing body so requested.

3. The owners of this property hereby agree to grant the right of access over the designated road for government utility agencies to perform their normal maintenance and repair work.

OWNER: James H. Hill
DATE: 4-12-11

OWNER _____ DATE _____

B_{H_p} M PROPERTIES

1624

MAYOR JIM GRAY



LEXINGTON

DOWELL HOSKINS-SQUIER
COMMISSIONER
ENVIRONMENTAL QUALITY & PUBLIC WORKS

MEMORANDUM

To: Mayor Jim Gray
Urban County Council
Sally Hamilton, CAO
Dowell Hoskins-Squier, Commissioner

From: Chester L. Hicks, Administrative Officer

Date: March 2, 2016

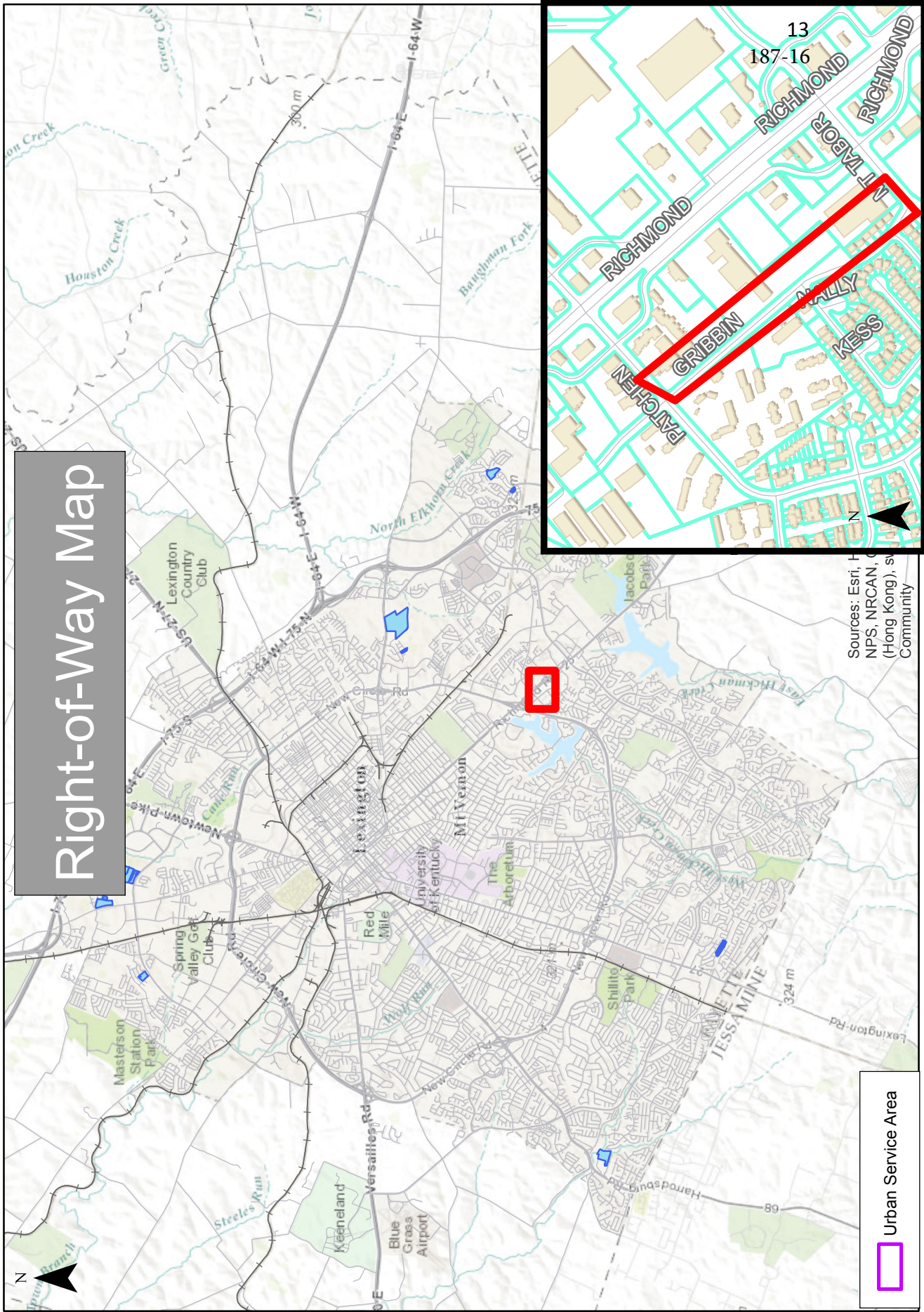
RE: Request for transfer of right-of-way via Quit Claim Deed – related to Gribbin Dr.

This memorandum is to request Urban County Council approval to transfer a portion of unused right-of-way originally dedicated for construction of a portion of Gribbin Dr. (originally Bonham Road) to the adjacent property owner located at 2875 Gribbin Drive. LFUCG Division Directors and utility company representatives have responded with comments and consented to this request. The adjacent property owner will accept full responsibility for the unused right-of-way, the plan for which is to consolidate it with the adjoining property. I am requesting Council authorization of the transfer as presented and execution of all related documents. Should you have any questions regarding this request please feel free to contact me at 258-3407.

Chester Hicks, Administrative Officer



Right-of-Way Map



Urban Service Area

Sources: Esri, H
NPS, NRCAN, C
(Hong Kong), s
Community



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: FEBRUARY 24, 2016

SUBJECT: Agreement with The Schneider Corporation doing business as qPublic, a sole source provider of The Integrated Damage Assessment Model for the Division of Emergency Management/911

Request:

Request Council authorization to execute agreement with The Schneider Corporation doing business as qPublic for provision of The Integrated Damage Assessment Model Development in an annual amount of \$3,000 for the Division of Emergency Management/911, and to approve The Schneider Corporation as a sole source provider.

Purpose of Request:

The Division of Emergency Management/911 is requesting continuation of agreement with qPublic for provision of the Integrated Damage Assessment Model (IDAM) at an annual cost of \$3,000. If Lexington-Fayette County has an actual disaster, the software will be activated and will be used to collect damage data for submission to FEMA. There is an activation fee of \$4,000 to use the software during disasters. The activation fee will only be charged once during the annual contract period regardless of the number of times the software is activated during the contract period for actual disaster damage assessment purposes. If Lexington is part of a federally declared emergency, the activation fee is reimbursable from FEMA. There may be events in which the software is activated and no federal declaration is made. The Division of Emergency Management has sufficient funds to cover the activation fee in its budget.

The Division of Emergency Management is also requesting that a sole source provider contract be established with the Schneider Corporation for fiscal year 2016 and subsequent years through March 31, 2019. The request for a sole source contract is because this software is the only software that integrates directly into Fayette County Property Valuation Administrator's data.

What is the cost in this budget year and future budget years? \$3,000 is the cost in Fiscal Year 2016. Annual cost through March 31, 2019 is \$3,000.

Legistar Memo The Schneider Corporation
February 24, 2016
Page 2 of 2

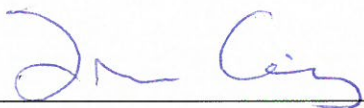
Are funds budgeted: Funds are budgeted for Fiscal Year 2016 as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3200	505204	5291	76102	EMRG_MGMT_2016	FED_GRANT	2016

Funds for Fiscal Years 2017-2019 will be budgeted on an annual basis. It is anticipated that these funds will be provided with grant allocations from the Kentucky Division of Emergency Management.

File Number: 193-16

Director/Commissioner: Dugger/Bastin



Irene Gooding, Director



**TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: February 25, 2016

SUBJECT: FY 2017 Transportation Planning Activities

Request: Request Council Authorization to accept awards, if offered, for FY 2017 Transportation Planning Activities; subject to the availability of sufficient funds in FY 2017.

Purpose of the Request: The Transportation Planning Section of the Division of Planning has prepared a unified planning work program for Fiscal Year 2017 that includes funding from the following federal programs that finance the Unified Work Program.

<u>Federal Program</u>	<u>Federal Amount</u>	<u>State Match</u>	<u>Local Match</u>	<u>Total</u>
FHWA Planning	\$380,000	\$23,750 (5%)	\$71,250 (15%)	\$475,000
Federal Transit Administration Section 5303	\$48,400		\$12,100 (20%)	\$60,500
Mobility Office (SLX)	\$102,000		\$25,500* (20%)	\$127,500
Air Quality Planning (SLX)	\$54,000		\$13,500 (20%)	\$67,500
Congestion Management (SLX)	\$67,200		\$16,800 (20%)	\$84,000
Bike/Ped Planning (SLX)	\$52,800		\$13,200 (20%)	\$66,000
TOTALS	\$704,400	\$23,750	\$152,350	\$880,500

*source of matching funds is the documentation of Public Service Announcements



Among the activities covered by the Unified Work Program are congestion management, planning and updating the long-range transportation plan, air quality planning, traffic impact analysis, bicycle-pedestrian planning, and updating the transit development plan. The Mobility Office program maintains responsibility for the promotion of carpooling and other activities that are designed to conserve energy, relieve highway congestion, reduce parking demand, and improve air quality.

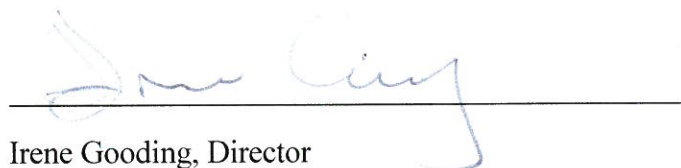
These combined funding sources support the personnel costs of nine transportation planning positions in the Division of Planning. Operating costs such as office supplies, printing, maintenance, equipment and professional development are also included. The Kentucky Transportation Cabinet provides a 5% match on the FHWA Planning grant, for which the LFUCG provides a match of 15%. All other programs require a match of 20%.

The cost in this budget year and future budget years: The total federal funding being requested for FY17 is \$704,400 with an additional \$23,750 being provided by the state. LFUCG is required to provide a match of \$126,850 requested in the FY 2017 budget, with an additional \$25,500 in match provided by a third-party in-kind contribution. The total cost in the budget is \$880,500. Grant funds for these activities are anticipated in future budget years.

Are the funds budgeted? If funding is approved, funds will be budgeted in Fiscal Year 2017.

File Number: 204-16

Director/Commissioner: Duncan/Paulsen

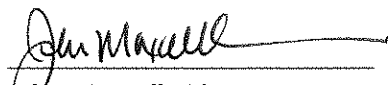

Irene Gooding, Director



MAYOR JIM GRAY

**LEXINGTON**JOHN MAXWELL
DIRECTOR
HUMAN RESOURCES**M E M O R A N D U M**

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: February 25, 2016

RE: Title changes - Division of Enterprise Solutions

Request:

The attached is requesting authorization to changing the position title of both Financials Manager Enterprise Solutions (Grade 525E) and HCM Manager Enterprise Solutions (Grade 525E) to Enterprise Resource Planning (ERP) Senior Analyst (Grade 525E) in the Division of Enterprise Solutions, effective upon passage by Council.

Why are you requesting?

This request for these title changes will allow the Division the flexibility to fill future vacancies that address technical and functional needs without being so narrowly focused on either HCM or Finance.

What is the cost in the budget year and future budget year?

There is no fiscal impact with this action.

File Number:

206 - 116

Director/Commissioner:

John Maxwell/Sally Hamilton

If you have questions or additional information is warranted, please contact Alisha Lyle at (859) 258-3957.



MAYOR JIM GRAY



LEXINGTON

WILLIAM O'MARA
COMMISSIONER
FINANCE

TO: Mayor Jim Gray
Sally Hamilton, CAO
Urban County Council Members

FROM: Rusty Cook, Director Division of Revenue *RC*

CC: William O'Mara, Commissioner of Finance

DATE: February 29, 2016

SUBJECT: Resolution Amending the Accela/aka Springbrook Agreement

Request

Authorization to approve a contract amendment between Accela Inc./aka Springbrook and the Lexington-Fayette Urban County Government, related to Online Business Tax Portal Transactional Fees.

Why are you requesting?

Department needs this action completed because it will create a fee structure that will allow Tax Payers to file online tax returns and make payment to the LFUCG, in a manner that is more cost effective and efficient to both the LFUCG and Tax Payer. The current contract assesses the Tax Payer both a \$2.27 per transaction fee plus 2% of the payment amount. (This is a significant cost to file and pay online at the time of submitting the return.) The amended contract will afford the Tax Payer the flexibility to file the return online and send an ACH payment from their bank to the LFUCG, on the due date of the return, all at a minimal cost. Additionally, the contract allows the LFUCG to set the cost of an online transaction, which will be charged to the Tax Payer. The Division of Revenue's goal is to create an on-line return process that is both efficient and cost effective so we can lessen the amount of paperwork being sent to the LFUCG.

What is the cost in this budget year and future budget years? N/A

The cost for this FY is: \$0

The cost for future FY is: \$0



Are the funds budgeted? N/A

The funds are budgeted or a budget amendment is in process:

Account number: N/A

File Number: 212-16

Director/Commissioner: Cook/O'Mara



MAYOR JIM GRAY

**LEXINGTON**
 IRENE GOODING
 DIRECTOR
 GRANTS & SPECIAL PROGRAMS

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: MARCH 3, 2016

SUBJECT: Approval of Agreement with Environmental Enterprises, Inc. for Household Hazardous Waste Collection Event—RFP 65-2015

Request:

Council authorization to execute agreement with Environmental Enterprises, Inc., in the amount of \$104,585 for the Division of Waste Management for the collection of all waste collected during the Household Hazardous Waste collection event to be held on April 23, 2016 (Spring Clean 2016)

Why are you requesting?

On June 18, 2015 (Resolution 366-2015), Council authorized acceptance of state funds from the Kentucky Energy and Environmental Cabinet for the Fayette County Household Hazardous Waste Recycling Event. Division of Central Purchasing issued Request for Proposals #65-2015. Environmental Enterprises, Inc. was selected to perform these services.

What is the cost in this budget year and future budget years?

Total cost in FY 2016 is \$104,585. Other project costs that include volunteer and employee time and program advertising have been budgeted. Future costs are dependent upon availability of funding

Are the funds budgeted? Yes

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3400	303501	0001	71299	KYHOHAZWA_2016	STA_GRANT	2016

File Number: 136-16**Director/Commissioner:** Thurman/Hoskins-Squier

Irene Gooding, Director



**Neighborhood Development Funds
March 8, 2016
Work Session**

Amount	Recipient	Purpose
\$ 500.00	East End Community Dev. Corp. 549 Mustang Crossing Lexington, KY 40508 Billie Mallory	To provide funds for advocating and researching affordable housing issues in the East End.



Planning & Public Safety Committee

February 9, 2016

Summary and Motions

Chair Mossotti called the meeting to order at 1:00 p.m. All Committee Members were in attendance: Mossotti, Scutchfield, Kay, Stinnett, Akers, Gibbs, Lamb, Farmer, Bledsoe and Henson. Council Member F. Brown was also in attendance as a non-voting member.

I. Approval of Committee Summary

A motion was made by Farmer to approve the December 8, 2015 Planning & Public Works Committee Summary, seconded by Henson. The motion passed without dissent.

II. Community Gardens

Jim Duncan, Director of Planning, presented the draft ordinance that would enable community gardens throughout the urban service area.

Farmer inquired if the sections referencing compost and compost bins would follow the existing parameters, which Duncan affirmed.

In response to Lamb, Duncan stated enforcement of nuisance issues would remain under the same enforcement mechanisms they are currently under: Code Enforcement; Animal Control; and Police. Lamb noted she would like to see each type of enforcement outlined for the public. In response to Lamb, Duncan stated that accessory structures on corner lots would be treated in the same way as building setbacks. Lamb stated she would like to have informational sheets for the public. In response to Lamb, Tracy Jones, from Law, stated there may not be a way to designate enforcement areas this within the ordinance.

In response to Stinnett, Duncan stated the proposed ordinance does not prohibit front yard gardens in residential zones, and that gardens would fall within the ordinary review of maintenance for other things such as height of grass, etc. There was further clarification of floodways and flood plains.

Gibbs inquired if Planning has reviewed the nuisance ordinances and if they could incorporate the review into the ordinance discussion. Commissioner Paulsen stated that Code Enforcement would be looking into this.

Scutchfield inquired if neighborhood association deed restrictions would supersede the ordinance and stated she has concerns about allowing gardens in front yards. Duncan stated neighborhood associations enforce their own restrictions, and the government would not enforce those.

Henson stated she would like to see section 5 amended to restrict front yard gardens to containers. Duncan noted instances when an individual may not have the available space on their lot other than the front yard and noted gardens for community outreach. Jones stated the regulations refer to community, rather than personal, gardens.

A motion was made by Lamb to amend subsections 13 of the draft ordinance to add "any resident, owner or organization shall also comply with the requirements of Chapter 4 – Animals and Fowl related to the keeping of fowl, seconded by Henson. The motion passed without dissent.

A motion was made by Kay to amend the ordinance to delete item 1 under section D and remove all references to private gardens, seconded by Akers. The motion passed by a 7 – 2 vote. (Yay: Mossotti, Kay, Stinnett, Akers, Gibbs, Farmer, Bledsoe, Henson Nay: Scutchfield, Lamb)

A motion was made by Kay to approve this item as amended and forward to the full Council, seconded by Gibbs. The motion passed by a 6 – 3 vote. (Yay: Kay, Akers, Gibbs, Farmer, Bledsoe, Henson Nay: Scutchfield, Stinnett, Lamb)

III. H-1 Notification Process

Farmer stated the intent of reviewing the H-1 process is to potentially provide transparency to the public and to lift the financial burden for sending out notices.

Mossotti inquired about the issue of boundaries and Farmer stated he would like to see this and other issues explored. He stated his desire to keep this issue in Committee to revisit.

IV. Code Enforcement Penalties & Fines

Ken Armstrong, Director of Code Enforcement, gave a presentation of the general operations of Code Enforcement.

Kay inquired about temporary signage and if there are penalties for signs in right-of-ways. Armstrong stated that habitual offenders are addressed by the county attorney. Kay inquired if those offenders have been prosecuted. Armstrong stated he does not know of an instance where prosecution has occurred. Kay stated he would like to see offenders tracked.

Scutchfield stated she would like for Code Enforcement to look into the issue of nuisances on public right-of-ways and noted these could be public safety issues.

In response to a question from Akers, Armstrong stated he is researching enforcement, but noted that since the issue is addressed separately in the ordinance he believes it is also handled separately. Mike Sanner, from Law, stated that signs in the rights-of-way are a criminal matter and the Council cannot decriminalize this issue to make it a civil manner. In response to Akers, Armstrong stated he does not believe there is a list of businesses that have been reported to the County Attorney. Akers stated her desire to explore the option to make this a civil matter.

Henson stated she would like to pursue addressing nuisance issues as civil matters.

Stinnett inquired why Code Enforcement has not pursued action against habitual offenders and asked Armstrong if he intends to pursue these, which Armstrong confirmed. Stinnett stated that, unless these issues are pursued, there will not be compliance with the ordinance.

Gibbs noted that the sidewalk snow clearing ordinance is in the process of seeking a civil penalty rather than criminal. Sanner stated he believes the sidewalk ordinance may be a local ordinance and that the sidewalks may have originally been local.

Kay stated he would like this item to remain in Committee.

A motion was made by Kay to place Code Enforcement Penalties & Fines back into Committee, seconded by Akers. The motion passed without dissent.

Bledsoe inquired what is done with offending signs after collection. Armstrong stated they are either thrown away or recycled.

In response to Akers, Armstrong stated that not all Nuisance Officers meet the KAR statute requirements to become Housing Officers.

In response to Henson, Armstrong stated the Department would like to have more Housing Officers but that Nuisance Offers are also very valuable in their office.

In response to Lamb, Armstrong stated the office receives more calls about naturalized yards than gardens and that they will be adding issues to the Code of Ordinances as they see issues arise.

Henson stated she would like to see persistent offenders addressed in the future.

Kay stated his appreciation for Armstrong's work and his interest in Code Enforcement issues.

In response to Bledsoe, Hollinger stated there is an option for a detailed summary as well as raw data. Bledsoe stated she feels this is important for citizen access and transparency. Hollinger stated that data will be generated utilizing iPads in the field prior to the implementation of the new database.

In response to Lamb, Hollinger stated they have software licenses for all code enforcement officers and employees, and that the public users will have access to new cases.

Kay stated he feels this is a move in the right direction and his desire to keep the Code Enforcement database in committee for updates.

In response to Lamb, Armstrong stated annual business licensing inspections are one of the items that may need to be phased in at a later time. Lamb inquired about fines in comparable cities, and Paul Schoninger, Council Research Analyst, stated he can provide more information.

Kay stated that he hopes that any recommendations for updated fines could come back to Council. Armstrong stated that they would.

V. Items Referred

A motion was made by Akers to remove the Safety Officers referral item from Committee, seconded by Bledsoe. The motion passed without dissent.

A motion was made by Bledsoe to adjourn, seconded by Scutchfield. The motion passed without dissent.

The meeting was adjourned at 2:55 p.m.

D.S. 2-11-2016

ORDINANCE NO. _____ - 2015

AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES TO ADD A SECTION REGARDING GARDENS.

WHEREAS, the Lexington-Fayette Urban County Council has reviewed the need for a new ordinance section governing gardens; and

WHEREAS, the Planning and Public Safety Committee of the Urban County Council has reviewed and recommended specific amendments to Chapter 10 of the Code of Ordinances regarding gardens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Chapter 10 of the Code of Ordinances of the Lexington-Fayette Urban County Government is hereby amended by adding the following subsection:

Chapter 10: Food and Drugs

Article 1. In General

Sec. 10-14.1 Gardens

- (a) The primary purpose of community and market gardens is to promote sustainable and affordable local food production for local consumption.
- (b) Community gardens, as defined herein (d), shall be permitted on any parcel of land in Fayette County, but shall comply with any and all regulations included herein and those established by other Federal, state or local agencies, such as the Kentucky Department of Public Health, Lexington-Fayette County Board of Health, and/or the Kentucky Department of Agriculture.
- (c) Market gardens, which may include on-site and/or off-site sales, and/or distribution of food crops and horticultural (non-food crops) products, shall be regulated through the LFUCG Zoning Ordinance.
- (d) As used in this article, gardens shall be defined as follows:
 - 1) Community Garden – an area of land less than five (5) continuous acres in size used for the cultivation of food and/or non-food crops by a group of individuals for their personal or group use, consumption, donation or off-site sales. The land may be divided into individual plots available for cultivation, and may include common areas maintained and used by group members. The garden may be located on the ground, in raised beds or on rooftops. Community gardens may be a principal or an accessory use.
- (e) Community Gardens must comply with the following regulations:
 - 1) On-site retail sales are prohibited.
 - 2) Identification and contact information shall be posted on the site with a clearly visible, non-illuminated sign that includes the name and contact information of the garden manager. The sign may also include the garden's rules of use. The sign shall have a maximum size of ten (10) square feet, and a maximum height of six (6) feet. The sign shall be located within five (5) feet of the right-of-way, but not be located within sight-distance triangles.
 - 3) Hours of operation shall be limited to sunrise until ½ hour after sunset daily.

- 4) Accessory structures maintained and used by the group are permitted. The combined areas of all buildings or structures shall not exceed 15 percent (15%) of the site area. Such structures may include:
 - i. Storage shed, limited to one shed no more than 120 square feet in size
 - ii. Cold frames and hoop houses, each one limited to three feet in width and three feet in height
 - iii. Raised and/or accessible planting beds (no railroad ties are permitted)
 - iv. Compost or waste bins
 - v. Fences
 - vi. Shade pavilion and trellises
 - vii. Signs and kiosks
 - viii. Benches, picnic tables and bike racks
 - ix. Garden art
 - x. Rain barrel system, (including mosquito control measures).
- 5) The garden and accessory structures shall comply with applicable side and rear setbacks per the LFUCG Zoning Ordinance. The following accessory structures shall not extend into the front yard beyond the front yard setback:
 - i. Storage shed
 - ii. Cold frames and hoop houses
- 6) The site must be designed and maintained so that water, chemicals or waste will not drain onto adjacent property, and measures are taken to control soil erosion.
- 7) No garden shall be allowed in a FEMA floodway; however, a garden may be requested in the remainder of the 100 year floodplain. A special permit use shall be required from the Division of Engineering as regulated by Article 19-8 of the Zoning Ordinance, which will factor in slope, and/or existing vegetation. If the garden is approved, items that could be transported away by water shall not be left on-site.
- 8) The parcel shall be maintained in an orderly manner throughout the year. Storage tools and supplies shall be indoors or removed daily from the site when unattended. The site must be maintained free of high weeds, grass and litter in compliance with Chapter 12 – Housing, Section 12-1 through 12-6 relating to property maintenance in the Code of Ordinance. The parcel shall be winterized, such as cleaning the site, and cutting, composting or removing stalks after harvesting.
- 9) Compost must be stored in an enclosed container.
- 10) Compost and waste bins shall be screened from adjacent properties through landscaping, fencing or location within a structure. They shall be maintained so as they do not attract insects, vermin, animals or create a nuisance; and, they shall be in compliance with Chapter 16, Section 16-10 of the Code of Ordinance.
- 11) Any chemical and/or fuel shall be stored off-site or in an enclosed, locked structure when the site is unattended.
- 12) No use shall emit an odor that creates a nuisance.
- 13) Keeping of livestock is prohibited. Keeping of fowl shall only be permitted when a community garden is located on the same parcel of land as a dwelling unit or where the community garden is managed on a daily basis by a non-profit organization. Any resident, owner or organization shall also comply with the requirements of Chapter 4-Animals and Fowl related to the keeping of fowl.
- 14) Mechanized equipment shall be those designed for household use, and shall comply with Chapter 14 – Offenses and Miscellaneous, Section 14-70 through 14-80 in regard to noise.

- 15) Fencing shall be compatible in appearance and placement with the character of nearby properties, and shall follow Article 15-4 of the Zoning Ordinance.

Section 2 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

Clerk of Urban County Council

Published:

X:\Cases\PLANNING\14-LE0001\LEG\00514280.DOCX

AFFORDABLE HOUSING FUND REPORT

Urban County Council – Work Session
March 8, 2016



LEXINGTON

Purpose of Fund

- Leverage public and private investment to preserve and produce safe, quality affordable housing for Fayette County residents whose incomes are at or below 80% of area median income.
- Housing is considered affordable when housing costs are no more than 30% of gross household income.

Area Median Income

Household Size	100% of AMI	80% of AMI	60% of AMI	50% of AMI	30% of AMI
1	\$47,500	\$38,000	\$28,500	\$23,750	\$14,250
2	\$54,250	\$43,400	\$32,550	\$27,125	\$16,275
3	\$61,000	\$48,800	\$36,600	\$30,500	\$18,300
4	\$67,800	\$54,250	\$40,680	\$33,900	\$20,340

Affordable Housing Costs Per Month

Household Size	80% of AMI	60% of AMI	50% of AMI	30% of AMI
1	\$950	\$713	\$594	\$356
2	\$1,085	\$814	\$678	\$407
3	\$1,220	\$915	\$763	\$458
4	\$1,356	\$1,017	\$848	\$509

Affordable Housing Board

- Harry Richart, Chair
- Carolyn Edwards, Vice Chair
- Anthony Wright
- Paul Thornsberry
- Paula King
- Bill Alverson
- Matthew DeMoss
- Steve Kay
- Bill Farmer
- Lisa Ball
- Jeff Fugate
- Charlie Lanter
- Vacant

Advisory Committee

- Lexington Fair Housing Commission
- Lexington Housing Authority
- Urban League
- AU Associates
- Central Ky. Homeless and Housing Initiative
- Wabuck Development
- Hope Center
- Habitat For Humanity
- Home Builders Association
- Community Ventures
- REACH
- Community Action Council
- Winterwood Property Management and Development

Application Process

1. Initial contact and review of program guidelines
2. Application submission and review
3. Technical submission
4. Board of Directors review
5. Pre-Construction conference and closing
6. Construction and placed in service/Inspections
7. Compliance monitoring
8. Loan Servicing/Asset Management

Evaluation Criteria

- Need/Market
- Design of Development
- Financial Feasibility
- Capacity of Developer
- Readiness to Proceed

Funding History

- Fiscal Year 2015 - \$3 Million
- Fiscal Year 2016 - \$2 Million
- Fiscal Year 2017 - \$2 Million

Financial Report and Projections

Revenue

Total Allocations	\$7,000,000
Fee Income Earned	\$23,930
Loan Receipts	\$1,006,145
Total	\$8,030,075

Expenses

Administrative Expenses	\$341,705
Funding Commitments	\$5,295,931

Funds Available **\$2,392,439**

Fund Activity

Allocations

Amortizing loans	\$3,413,669
Forgivable loans and grants	\$1,882,262
Total Allocations	\$5,295,931

Leverage

Outside Funding in Developments	\$10,214,569
Affordable Housing Fund Allocation Per Unit	\$12,231

Loan Repayments

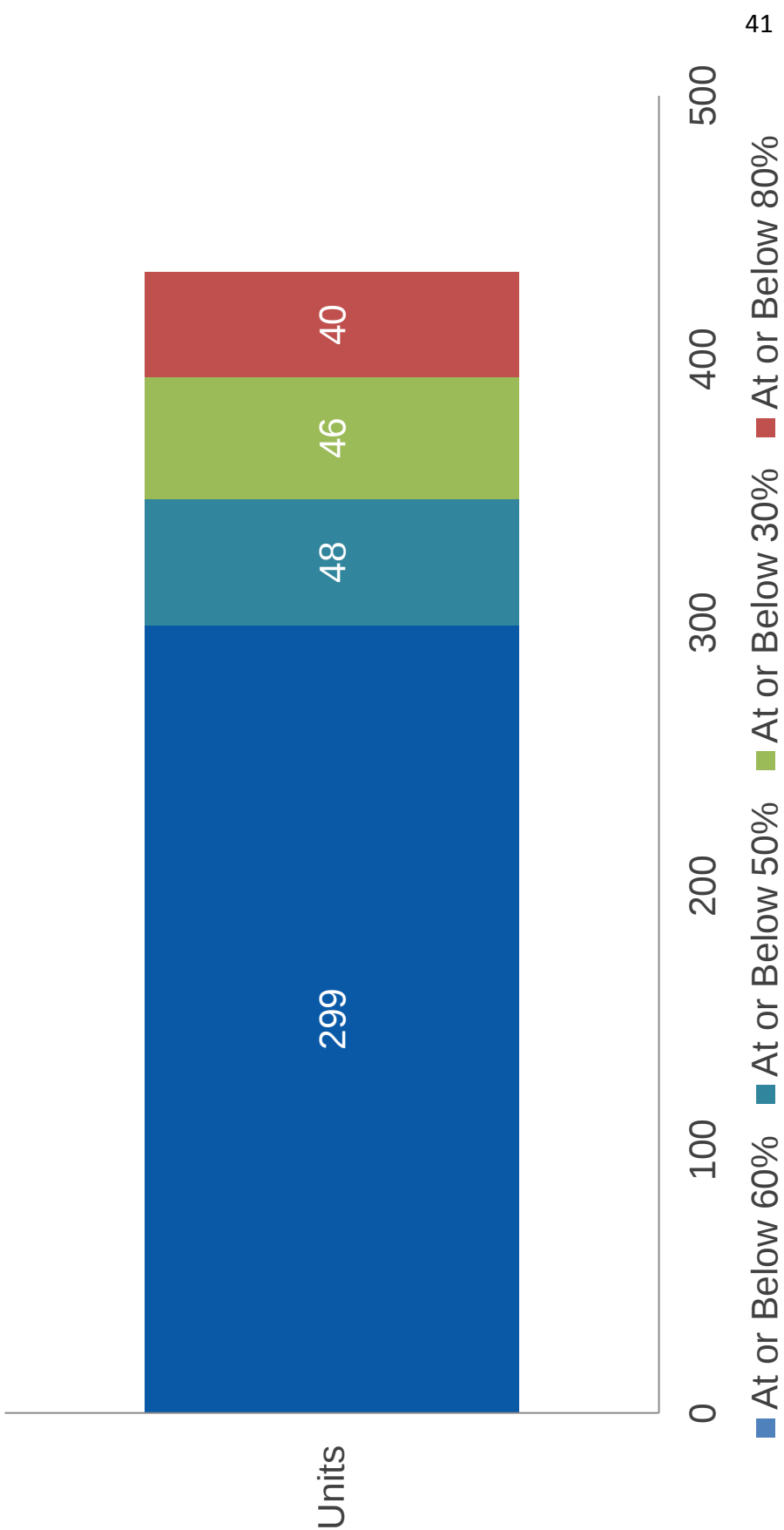
Annual Loan Repayments	\$109,050
Lump Sum Loan Repayments	\$935,983
Total Loan Repayments	\$1,045,033

Affordable Housing Units

Units	
Affordable units preserved	269
New affordable housing units	164
Total units funded	433

Special Needs Populations Served	
Survivors of domestic violence	24
Homeless	31
Mentally and physically disabled	14
Elderly and disabled	59
Total special needs units funded	128

Area Median Income Served



Moving Forward

- Numerous development are in the pipeline.
- Developer training on how to utilize the Affordable Housing Fund
 - Compliance policies and procedures
 - Asset management policies and procedures
 - Increase in dollars leveraged

Questions?



Projects

- St. James Place Apartments
 - 169 Deweese Street
 - Phase 1 of development preservation (30 units)
 - Homeless
 - \$403,000 grant

Projects

- Wilson Street Apartments
 - 329 Wilson Street
 - Rehab of 4 units
 - 3 units for 80% of area median income and below; 1 unit for 30% and below
 - \$36,044 grant

Projects

- Parkway Plaza Apartments
 - 431 Rogers Road
 - Rehabilitation of 180 units
 - Households at or below 60% of area median income
 - \$159,374 pre-development loan

Projects

- Stonebridge Apartments
 - 1261 Village Drive
 - Rehabilitation of 47 units
 - Households at or below 50% of area median income (referrals from homeless providers)
 - \$150,000 loan and \$345,092 grant

Projects

- Kentucky Council Against Domestic Violence
 - Briar Hill Road, Mackenzie lane, Cambridge Drive
 - New construction of 12 units, rehabilitation of 12 units
 - Survivors of domestic violence (referrals from Greenhouse 17); at or below 60% of area median income
- \$415,686 loan; \$145,000 grant

Projects

- Community Ventures
 - Race, Goodloe and Warnock Streets
 - Acquisition, new construction and rehabilitation of 20 homeownership units
 - Households at or below 80% of area median income
 - \$617,506 loan, \$50,000 grant

Projects

- Habitat for Humanity
 - 301 Ash Street
 - Acquisition of site to build home
 - Households at or below 50% of area median income
 - \$10,000 grant

Projects

- North Limestone Community Development Corporation
 - 142-148 York Street
 - Acquisition and construction of 6 homeownership units
 - Households at or below 80% of area median income
 - Loan for \$159,103; grant for \$163,096

Projects

- Lexington Housing Authority
 - 325 Wilgus Avenue
 - Acquisition and rehabilitation of single family home
 - Homeless family
 - \$35,000 loan; \$55,000 grant

Projects

- 7 Upper Apartments
 - 7th and Upper Streets
 - Acquisition and rehabilitation of 7 units
 - Households at or below 80% of area median income (taking referrals from various nonprofit agencies)
 - \$252,000 loan

Projects

- **Parkside III**
 - 1048 Cross Keys Drive
 - New construction of 36 units
 - Households at or below 60% of area median income
 - \$1,000,000 loan

Projects

- Ferrill Square Apartments
 - 471 Price Road
 - Renovation of 59 units
 - Elderly and disabled
 - \$450,000 loan; \$400,000 grant

Projects

- 5th Street Apartments
 - 5th and Smith Streets
 - Acquisition and rehabilitation of 4 units
 - Households at or below 80% of area median income
 - \$175,000 loan, \$48,030 grant

Projects

- Bob Brown House
 - 507 Rogers Road
 - Rehabilitation of 14 units
 - Mentally and physically disabled
 - \$227,000 grant